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**From:** Quast, Sylvia [Quast.Sylvia@epa.gov]  
**Sent:** 4/22/2020 5:57:48 PM  
**To:** Susan Adams [SAdams@baaqmd.gov]  
**CC:** Shepherdson, Melanie [Shepherdson.Melanie@epa.gov]; bbunger@baaqmd.gov  
**Subject:** RE: Schnitzer Steel - Follow-up Teleconference  
**Attachments:** Schnitzer Steel Industries, Inc..PDF

Hi Susan – It was good to talk to you on Tuesday. One of the things that became clear to me in the course of our conversation is that it would be helpful for us to meet or have a call with whomever is directly in charge of the District's enforcement program generally to make sure that both the District and EPA are making the best use of our limited enforcement resources. My sense is that Brian and Wayne are the right people from the District for that meeting/call, but I have copied Brian on this email so he can set me straight if I am wrong about that.

As for the immediate issue of Schnitzer, I have attached our NOV for your convenience, but I am sure you will understand my reluctance to get into your various questions below in an email, given that we do not have a confidentiality agreement in place. However, Melanie and I are available for a call from 1:30 to 2 tomorrow and if would help for Brian to be a part of that, I would welcome his involvement – just let me know.

Thanks,  
Sylvia

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**From:** Susan Adams <SAdams@baaqmd.gov>  
**Sent:** Tuesday, April 21, 2020 5:10 PM  
**To:** Quast, Sylvia <Quast.Sylvia@epa.gov>  
**Subject:** Schnitzer Steel - Follow-up Teleconference

Dear Ms. Quast and Ms. Stephenson:

Thank you both for speaking with me yesterday afternoon about the status of various governmental entities' actions pertaining to Schnitzer Steel. You suggested that we discuss Thursday afternoon your proposal to arrange a discussion with the Air District, others agencies pursuing an action, and your office. (I) listed to the best of my understanding, the other agencies that are pursuing their joint action: including, the State Attorney General's Office, the State Department of Toxic Substances Control, and the Alameda County District Attorney's Office. As promised, I will forward your suggestion to Brian. To assure that I present your suggestion accurately, please confirm for me the agenda for that joint teleconference discussion.

With respect to EPA's notice of violation that was issued at the end of January 2020, I have some follow-up questions. First, in our call, you stated that EPA's NOV includes three alleged violations: not having a Title V permit, operating without having conducted a major facility permit review (pursuant to District Regulation 2-6-301), and having violated District Regulation 8-2-301. As I mentioned, the Air District anticipates resolving its enforcement action pertaining to the Regulation 8-2-301 violation in the very near future (which I understand may be a similar schedule for the State agencies' actions); accordingly, please clarify the timing of EPA's potential enforcement action pertaining to Schnitzer Steel's alleged violation of Regulation 8-2-301. In that regard, we touched briefly on whether EPA would consider removal the alleged Regulation 8-2-301 violation from its NOV. You also indicated that EPA may overfile if it finds the Air District's resolution unacceptable; as I inquired yesterday, please clarify at what point in the Air District's resolution of this matter will EPA determine whether to overfile and what sort of (formal or informal) notice of EPA's intention to file will EPA provide the Air District.

Second, EPA is conducting a nationwide investigation of auto shredding operations. It appeared that your investigation and Schnitzer Steel source testing reports resulted in the issuance of EPA's NOV. Is that correct? As I mentioned

yesterday, my office would appreciate any details you can provide on the amount of penalties EPA has deemed reasonable for excessive air contaminant emissions from auto shredding operations and what penalty amounts EPA has seen agreed to by various operations. Similarly, any documentation you can share to support EPA's estimation that 18 months is a reasonable schedule for the design and installation of shredding operations abatement equipment (RTOs and scrubbers) would be very helpful, particularly given EPA's breadth of resources; as I said, I have relied upon schedules prescribed in two relevant consent judgments or orders. How EPA built into that timeframe a period of time for the submission and approval of applicable permit applications would be helpful also.

You raised also as a future discussion topic the working relationship between U.S. EPA, Region 9 and the Air District in enforcement actions. I will forward to Brian that opportunity as well.

Again, thank you for the discussion yesterday. I look forward to our call Thursday afternoon. Given my current schedule, the best time will be between 1:00 – 2:00.

Please forward a copy of this email to Ms. Stephenson; I could not locate her email address in the EPA staff directory – it could be a internet/connectivity issue.

Very truly yours,

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